

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

Robert James Swint,

Plaintiff

v.

Central Intelligence Agency,

Defendant

Case No. 2:24-cv-00339-CDS-MDC

Order Adopting the Magistrate Judge's  
Report and Recommendation  
and Closing Case

[ECF No. 4]

Pro se plaintiff Robert Swint brings this lawsuit alleging that defendant Central Intelligence Agency conducted underground, undercover operations. ECF No. 1-1. Swint submitted a short form application to proceed *in forma pauperis* (IFP). ECF No. 1. However, Magistrate Judge Maximiliano D. Couvillier III could not determine Swint's IFP status based on the information he provided in the short form application and denied the IFP application. Order, ECF No. 3. Judge Couvillier ordered Swint to file a long form IFP application to help determine whether he qualified for IFP status. *Id.* Swint did not file the long-form application by the deadline.

On April 19, 2024, Judge Couvillier issued a Report and Recommendation (R&R), recommending that I dismiss this action. R&R, ECF No. 4. Swint had until May 3, 2024 to file objections to the R&R. 28 U.S.C. § 636(b)(1); LR IB 3-2(a) (stating that parties wishing to object to an R&R must file objections within fourteen days). Swint has neither objected to the R&R nor complied with the court's order by filing a long-form IFP application. Although no review of Judge Couvillier's R&R is required because Swint failed to file any objections, I nonetheless reviewed the R&R. *See Schmidt v. Johnstone*, 263 F. Supp. 2d 1219, 1226 (D. Ariz. 2003) ("[n]o review is required of a magistrate judge's report and recommendation unless objections are filed"); *see also Thomas v. Arn*, 474 U.S. 140, 150 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir.

2003). I find no error in Judge Couvillier's findings, especially since Swint failed to comply with this court's order—which warrants dismissal. *See Malone v. U.S. Postal Service*, 833 F.2d 128, 130 (9th Cir. 1987) (affirming dismissal for failure to comply with court order). As such, I adopt the R&R in its entirety.

### Conclusion

IT IS THEREFORE ORDERED that Magistrate Judge Couvillier's report and recommendation [ECF No. 4] is ADOPTED in full.

This action is dismissed. The Clerk of Court is kindly instructed to close this case.

Dated: May 10, 2024

  
Cristina D. Silva  
United States District Judge